

Department of Planning and Zoning

149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7142 (TTY)

www.burlingtonVT.gov/pz

David E. White, AICP, Director
Ken Lerner, Assistant Director
Sandrine Thibault, AICP, Comprehensive Planner
Jay Appleton, Senior IT/GIS Programmer
Scott Gustin, AICP, Senior Planner
Mary O'Neil, AICP, Senior Planner
Nic Anderson, Planning & Zoning Clerk
Elsie Tillotson, Administrative Assistant



MEMORANDUM

TO: Joan Shannon, City Council President
Burlington City Councilors
Mayor Miro Weinberger

FROM: David E. White, AICP, Director of Planning & Zoning

DATE: Monday, March 04, 2013

RE: Proposed Zoning Amendment

For your consideration you will please find attached a proposed amendment to the *Burlington Comprehensive Development Ordinance* for your consideration and adoption as recommended by the Burlington Planning Commission.

The proposed amendment is as follows:

- (a) **ZA-13-06 – Downtown Parking** - This proposed amendment to the Comprehensive Development Ordinance eliminates off-street parking requirements throughout the Downtown Parking District. The change is intended to increase the affordability of development, reduce the creation of unnecessary and underutilized parking, and encourage greater flexibility to find more creative and effective parking and transportation solutions by eliminating the required minimum off-street parking requirements in downtown. (Modify Section 8.1.6 and Table 8.1.8-1)

Upon receiving this proposed amendment, the Council may decide to:

- refer to a City Council Committee for further review; or,
- waive the Council's rules and direct the Clerk's Office to warn a Public Hearing for the next available meeting after a 15-day public notice.

Adoption of this amendment will require the Council to hold one or more public hearings in accordance with 24 VSA § 4442 and §4444 before it can be adopted and become effective.

For your information, once a zoning amendment is warned for a Public Hearing by the City Council, the Dept. of Planning and Zoning is required by statute to begin implementing the amendment as warned until it is adopted, amended, or withdrawn for a period not to exceed 150-days (24 VSA 4449(d)).

Planning staff is available to answer any questions you may have, as well as to make a public presentation regarding these proposed amendment at your public hearing(s).

Thank you for your consideration.

Burlington Comprehensive Development Ordinance

PROPOSED: ZA-13-06-Downtown Parking Standards

As approved by the Planning Commission on Feb 26, 2013.

Changes shown (underline to be added, strike-out to be deleted) are proposed changes to the Burlington Comprehensive Development Ordinance.

Purpose: Eliminate off-street parking requirements throughout the Downtown Parking District. The change is intended to increase the affordability of development, reduce the creation of unnecessary and underutilized parking, and encourage greater flexibility to find more creative and effective parking and transportation solutions by eliminating the required minimum off-street parking requirements in downtown.

Sec.8.1.3 Parking Districts

(a) and (b) – No changes

(c) Downtown Parking District:

This parking district ~~further reduces-eliminates~~ the requirements from the baseline standards recognizing that extensive sharing of parking demand between nearby land use occurs; that a majority of travel to and between land uses is independent from an automobile; and that an array of public parking facilities and frequent transit service greatly reduces the need for independent parking for individual land uses.

Sec. 8.1.6 Existing Structures: Exemption in Downtown District

~~Any nonresidential use within a structure lawfully in existence prior to January 1, 20007 in any Downtown Parking District shall be exempt from the requirements of this Article when applying for a change to any other nonresidential use.~~

Sec. 8.1.76 Non-conforming Residential Structure

Where additions or conversions to existing residential structures within a Neighborhood or Shared Use Parking District add living space but do not add dwelling units, and such sites do not currently meet the parking standards of **Sec. 8.1.87**, one (1) parking space shall be provided for each additional room. Single detached dwellings shall be exempt from this requirement.

Sec. 8.1.87 Minimum Off-Street Parking Requirements

Parking for all uses and structures shall be provided in accordance with **Table 8.1.87-1**.

(a) Where no requirement is designated and the use is not comparable to any of the listed uses, parking requirements shall be determined by the DRB upon recommendation by the administrative officer based upon the capacity of the facility and its associated uses.

- (b) When the calculation yields a fractional number of required spaces, the number of spaces shall be rounded to the nearest whole number.

Table 8.1.87-1 Minimum Off-Street Parking Requirements			
	Neighborhood Districts	Shared Use Districts	Downtown Districts
RESIDENTIAL USES	Per Dwelling Unit except as noted		
Multi-unit attached dwelling units, studio units or 1-bedroom dwelling unit.	2	1	<u>+0</u>
Single Family detached and Duplex	2	2	<u>+0</u>
RESIDENTIAL USES - SPECIAL	Per Dwelling Unit except as noted		
Assisted Living	0.5	0.5	<u>0.40</u>
Bed and Breakfast (per room, in addition to single-family residence)	1	0.75	<u>0.50</u>
Boarding House (per two (2) beds)	1	0.75	<u>0.50</u>
Community House	1	0.75	<u>0.50</u>
Convalescent Home (per four (4) beds)	1	1	<u>+0</u>
Dormitory (per two (2) beds)	1	1	<u>+0</u>
Group Home (per two (2) beds)	1	1	<u>+0</u>
Historic Inn (per room, in addition to single-family residence)	1	0.75	<u>0.50</u>
Sorority & Fraternity (per two (2) beds)	1	1	<u>+0</u>
NON-RESIDENTIAL USES	Per 1,000 square feet of gross floor area (gfa) except as noted		
Adult Day Care (per two (2) employees)	1	1	<u>+0</u>
Agricultural Use	<u>None0</u>	<u>None0</u>	<u>None0</u>
Amusement Arcade	2	1	0
Animal Boarding/Kennel/Shelter	2.5	1.5	<u>+0</u>
Animal Grooming (per grooming station)	1	1	0
Animal Hospitals/Veterinarian Office	3	2	<u>+0</u>
Appliance & Furniture Sales/Service	2.5	1	<u>+0</u>
Aquarium	1.3	1	<u>+0</u>
Art Gallery	3.3	2.5	<u>+0</u>
Auction Houses	3.3	2.5	<u>+0</u>
Automobile & Marine Parts Sales	2.5	1.5	<u>+0</u>

Table 8.1.87-1 Minimum Off-Street Parking Requirements

	Neighborhood Districts	Shared Use Districts	Downtown Districts
Automobile Body Shop	2 plus 1/bay	2 plus 1/bay	2 plus 1/bay 0
Automobile Repair/Service	2 plus 1/bay	2 plus 1/bay	2 plus 1/bay 0
Automobile Sales – New & Used	2	2	1 0
Bakery - Retail	2.5	2.5	1 0
Bakery - Wholesale	2	2	1 0
Bank, Credit Union	2.5	2	1 0
Bar/Tavern	4	3	None 0
Beauty/Barber Shop (per station/chair)	1	1	None 0
Bicycle Sales/Repair	2.5	1	None 0
Billiard Parlor (per game table)	1	1	None 0
Boat Repair/Service	2	2	1 0
Boat Sales/Rental	2	2	1 0
Boat Storage	3	2	1 0
Bowling Alley (per lane)	3	2	1 0
Building Material Sales	3.3	2.5	1 0
Café (per four (4) seats)	1	1	None 0
Camp Ground (per camping space)	1	1	1 0
Car Wash (stacking spaces per wash bay)	4	4	4 0
Cemetery	None 0	None 0	None 0
Cinema (per four (4) seats)	1	1	None 0
Club, Membership	3.3	2.5	1 0
Community Center	3.3	2.5	1 0
Community Garden (per ten (10) plots)	1	1	None 0
Conference Center	3	2	1 0
Contractor Yard (per 1,000 gfa of office space)	2.5	2	2 0
Convenience Store	3	2	1
Convention Center	n/a	3	2 0
Courthouse	n/a	3.3	2 0
Crematory (per FTE employee)	1	1	1 0
Crisis Counseling Center	4	3	1 0
Daycare - Home (6 children or less)	None 0	None 0	1 drop off 0
Daycare - Large (Over 20 children) (per two (2) employees)	1 plus 1 per 5 children	1 plus 1 per 5 children	2 drop off 0

Table 8.1.87-1 Minimum Off-Street Parking Requirements

	Neighborhood Districts	Shared Use Districts	Downtown Districts
Daycare - Small (20 children or less) (per two (2) employees)	1	1	<u>+0</u>
Dental Lab	2	1	None <u>0</u>
Distribution Center (per 3,000 gfa)	1	0.75	<u>0.750</u>
Dry Cleaning Plant	1.3	1	<u>+0</u>
Dry Cleaning Service	2.5	2	<u>20</u>
Film Studio	3.3	2.5	<u>+0</u>
Fire Station (per apparatus)	2	2	<u>+0</u>
Food Processing	1.3	1	<u>+0</u>
Fuel Service Station (per employee/shift)	1	1	<u>+0</u>
Funeral Home (per four (4) seats)	1	1	<u>+0</u>
Garden Supply Store (per 1,000 gfa of retail area.)	3	2	<u>+0</u>
General Merchandise/Retail	3	2	None <u>0</u>
Grocery Store	3	2	None <u>0</u>
Hazardous Waste Collection/Disposal (per two (2) employees on the largest shift)	1	1	n/a
Health Club	3	2	<u>+0</u>
Health Studio	2	1	None <u>0</u>
Hospitals (per patient bed)	2	2	<u>20</u>
Hostel (per two (2) beds)	0.5	0.5	None <u>0</u>
Hotel/Motel (per room)	1	0.75	<u>0.750</u>
Laundromats (per washing machine)	1	1	None <u>0</u>
Library	1.3	1	None <u>0</u>
Lumber Yard (per 1,000 gfa of retail area.)	3	2	<u>+0</u>
Machine Shop/Woodworking Shop	1.3	1	<u>+0</u>
Manufacturing	1.3	1	<u>+0</u>
Manufacturing - Tour Oriented	1.3, plus 3 per 1,000 gfa devoted to patron use.	1.3, plus 2 per 1,000 gfa devoted to patron use.	<u>+0</u>
Marina (per berth)	0.5	0.5	<u>0.50</u>
Medical Lab	2	1	None <u>0</u>
Micro-Brewery/Winery	3	2	<u>+0</u>
Museum	1.3	1	<u>+0</u>
Office - General	2	2	<u>20</u>

Table 8.1.87-1 Minimum Off-Street Parking Requirements

	Neighborhood Districts	Shared Use Districts	Downtown Districts
Office - Medical, Dental	3	2	<u>40</u>
Open Air Markets	<u>None0</u>	<u>None0</u>	<u>None0</u>
Operations Center - Taxi (per three (3) employees)	1	1	<u>40</u>
Operations Center - Truck/Bus (per 3,000 gfa)	1	0.75	<u>0.750</u>
Park (per playing area)	5	<u>None0</u>	<u>None0</u>
Parking Garage – Private	<u>None0</u>	<u>None0</u>	<u>None0</u>
Parking Lot – Private	<u>None0</u>	<u>None0</u>	<u>None0</u>
Performing Arts Center (per four (4) seats)	1	1	<u>None0</u>
Performing Arts Studio	1	<u>None0</u>	<u>None0</u>
Pet Store	2.5	1	<u>None0</u>
Pharmacy	3	2	<u>40</u>
Photo Studio	2.5	1	<u>None0</u>
Photography Lab	1	1	<u>None0</u>
Police Station	2.5	2	<u>20</u>
Post Office	1.3	1	<u>40</u>
Post Office - Local	2	2	<u>None0</u>
Printing Plant	1.3	1	<u>40</u>
Printing Shop	2	2	<u>None0</u>
Public Transit Terminal	1 per 200 gfa of public waiting space	1 per 200 gfa of public waiting space	<u>None0</u>
Public Works Yard/Garage	<u>None0</u>	<u>None0</u>	<u>None0</u>
Radio & TV Studio	2	2	<u>20</u>
Rail Equip. Storage & Repair	<u>None0</u>	<u>None0</u>	<u>None0</u>
Recording Studio	1.3	1	<u>40</u>
Recreational Facility - Indoor (per four (4) seats)	1	1	<u>0.50</u>
Recreational Facility - Outdoor (per playing field)	15	10	<u>None0</u>
Recreational Facility - Outdoor Commercial	Larger of 1 per 4 seats or 15 per playing field	Larger of 1 per 4 seats or 10 per playing field	<u>1 per 6 seats0</u>
Recreational Vehicle Sales – New and Used	2	2	<u>40</u>
Recycling Center - Large above 2,000 gfa	<u>None0</u>	<u>None0</u>	<u>None0</u>
Recycling Center - Small 2,000 gfa or less	<u>None0</u>	<u>None0</u>	<u>None0</u>
Research Lab	2.5	2	<u>20</u>

Table 8.1.87-1 Minimum Off-Street Parking Requirements

	Neighborhood Districts	Shared Use Districts	Downtown Districts
Restaurant	4	3	None 0
Restaurant – Take-Out	4	3	None 0
Salon/Spa	4	4	2 0
School - Secondary (per Classroom)	7	5	2 0
School - Primary (per Classroom)	1.5	1.5	1.5 0
School - Trade/Professional	5	3	4 0
School, - Post-Secondary	2	2	2 0
Solid Waste Facility - Incinerator, Landfill, Transfer Station	None 0	None 0	None 0
Tailor Shop	2	1	None 0
Vehicle Salvage	None 0	None 0	None 0
Warehouse	0.5	0.35	0.35 0
Warehouse - Self Storage Facility	1 per resident manager, plus 1 per 100 leasable storage spaces	1 per resident manager, plus 1 per 100 leasable storage spaces	1 per resident manager, plus 1 per 100 leasable storage spaces 0
Warehouse - Retail	3.3	2.5	2.5 0
Wholesale Sales	1.3	1	4 0
Worship, Place of (per four (4) seats)	1	1	4 0

Sec. 8.1.98 Maximum Parking Spaces

No change.

All remaining Sections in this Part are re-numbered accordingly as well as any reference to tables within this section.